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11-14-06

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November 13, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: U.S. Patent Application Serial No. 10/574,407  
Filed: September 30, 2004  
For: "GENE MODULATION BY RB2/p130 EXPRESSION"  
Attorney Docket No. 03-40171-US (869233.20013)

Dear Sir:

Enclosed are the following for filing in connection with the above-referenced application:

1. Information Disclosure Statement;
2. 1449 Form;
3. Copy of three (3) references; and
4. A self-addressed stamped postcard, return of which is requested to acknowledge receipt of the enclosed documents.

The Commissioner is hereby authorized to charge any fees due in connection with this filing to Deposit Account No. 18-0586.

Respectfully submitted,

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**EXPRESS MAIL CERTIFICATE**

Express Mail Label No. EV 699484541 US

Date of Deposit November 13, 2006

I hereby certify that this paper, and the papers and/or fees referred to herein as transmitted, submitted or enclosed, are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name: Laurie A. Drummond

Signature

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PHLLIB-960203.1-LADRUMMO 11/13/06 3:53 PM



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Application of: Antonio Giordano

Serial No.: 10/574,407

Filed: September 30, 2004

Attorney Docket No.: 03-40171-US

Examiner: TBD

Group Art Unit: TBD

Title: GENE MODULATION BY  
RB2/p130 EXPRESSION

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)(3)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The above-identified Applicant submits herewith three references, which may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. § 1.56. Form PTO-1449, attached hereto, lists the references of which Applicant is aware, and which may be material to the examination of this application. Copies of the three above-mentioned references are included with this document.

While the information cited in this Information Disclosure Statement may be "material" pursuant to 37 C.F.R. § 1.56, the filing of these references should not be construed to be an admission that any patent, publication or other information referred to herein is, or is considered to be, either "prior art" for this invention or otherwise material to the patentability of this invention as defined in 37 C.F.R. § 1.56(b).

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(b) exists.

The references contained in this information disclosure statement were first cited in a European Supplemental Search Report not more than three months prior to the filing of this information disclosure statement.

It is believed that this Information Disclosure Statement is being filed prior to the mailing date of the Final Office Action on the merits in the application and pursuant to 37 C.F.R. §1.97(d).

While it is believed that no fee is due in connection with this filing, the Commissioner is hereby authorized to charge any payment of fees or credit any over-payment associated with this application to Deposit Account No. 18-0586.

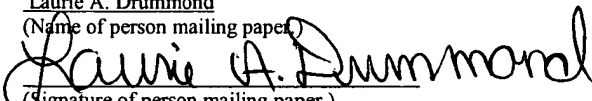
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Laurie A. Drummond

(Name of person mailing paper.)

  
(Signature of person mailing paper.)

Respectfully submitted,



Nanda P.B.A. Kumar, Esq.

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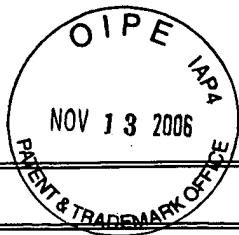
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SHEET 1 OF 1

SUBSTITUTE FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE	ATTY. DOCKET NO. 03-40171-US	SERIAL NO. 10/574,407
INFORMATION DISCLOSURE CITATION			APPLICANT: Antonio Giordano	
			FILING DATE 09/30/2004	
			GROUP TBD	

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	AA	US 2002/037870	03/28/2002	Antonio Giordano			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	NO
	BA	WO 03/029273	04/10/2003	WO				
	BB	WO 99/49774	10/07/1999	WO				

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.